

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

	X	
SECURITIES AND EXCHANGE COMMISSION,	:	
	:	
Plaintiff,	:	
	:	
v.	:	<u>19 Civ. 09439 (PKC)</u>
	:	
TELEGRAM GROUP INC. and TON ISSUER INC.,	:	
	:	
Defendants.	:	

**AFFIDAVIT OF FEDOR SKURATOV IN SUPPORT OF
THE TON COMMUNITY FOUNDATION’S AMICUS BRIEF**

I, Fedor Skuratov, hereby depose and say under the penalty of perjury:

1. I make this affidavit pursuant to the Court’s order issued on February 18, 2020, concerning the Amicus Brief submitted by the TON Community Foundation (the “Foundation”) in the above-referenced matter.

2. I am the Communications Leader of the Foundation, and I submit this affidavit based on my personal knowledge. I am an employee of TON Venture Studio Ltd., doing business as TON Labs. I am also the CEO of Combot LLC (combot.org). I reside in Russia, Moscow, Malaya Pirogovskaya St., No. 21/26.

3. The community of the TON developer teams was formed in July 2019, when the first TON-related groups were started.

4. In 2020, the most active developer teams from 5 countries formed the Foundation as a not-for-profit association that included TON developers, enthusiasts, and members of local TON-related groups to support an independent, self-sustained, decentralized development of the TON network through collaboration and cooperation. Currently, more than 2,000 people participate in these groups.

5. One of the first acts of the Foundation was to submit its Amicus Brief to the

Court to show that the TON Blockchain is ready to be launched and function irrespective of Telegram's further efforts or participation.

6. The key consideration in forming the Foundation was the diversity of its members and the representation of both TON enthusiasts and commercial companies apart from the Telegram team, who is not a member of the Foundation.

7. Currently, the Foundation includes 23 full members and 24 associated members who represent 6 different TON-related communities of TON-enthusiasts and 22 developers companies. The Foundation members are identified on the Foundation's website, <https://ton-foundation.org>. There are 102 additional membership applications received by the Foundation from 32 countries; these applications are pending.

8. Neither the Foundation itself nor its individual members are affiliates of Defendants Telegram Group Inc. or TON Issuer Inc.

9. The Foundation is currently managed by 23 members who will elect a Governing Council in the nearest future, as described on the Foundation's website. The Foundation has not been formally registered as a legal entity yet, as its members are in the process of selecting an appropriate jurisdiction to register and submitting its proposal for registration to the Foundation members for their vote.

10. The Foundation does not have corporate parents or subsidiaries, and no person or entity has a controlling stake or an ownership share of greater than 10%.

11. None of the defendants or their counsel or law firms representing them drafted, commented or reviewed the Amicus Brief prior to its filing with the Court. The Amicus Brief was drafted by the Foundation's counsel based on the factual information and technical comments provided by Mitja Goroshevsky, Dmitry Shtukenberg and Leonid Kholodov of TON Labs, and was reviewed and unanimously authorized for filing by the founding members of the Foundation. No other party was involved in the drafting or review of the Amicus Brief prior to its filing.

12. I am not accustomed to drafting affidavits and was assisted in this task by the

Foundation's counsel, but all the statements herein are based on my personal knowledge, and I affirm under the penalty of perjury that they are true and correct to the best of my knowledge and belief.

Dated: February 25, 2020
Moscow, Russian Federation

Fedor Skuratov
Fedor Skuratov

Subscribed and sworn to before me
this 25 day of February 2020

Samantha Rose Drake

Commonwealth of Virginia

City/County of James City

The foregoing instrument was acknowledged before me Samantha Rose Drake a
Notary Public, this 25 day

of February, 2020, by Fedor Skuratov.

Witness my hand and official seal.

Samantha Rose Drake

Commission #7679100 Exp:09/30/2020